

No. 1 June Sessions, 1964, R.D.  
IN THE COURT OF QUARTER SESSIONS  
OF  
CAMBRIA COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

VS.

ST. LAWRENCE GRANGE NO. 1168,  
PATRONS OF HUSBANDRY

VIEWS' REPORT

*Filed: June 9, 1964*

*Views' Report  
Confirmed June  
June 9, 1964.*

*S. D. Blackmon  
Clerk of Court*

*And now, July 10, 1964, no exceptions  
having been filed, the within report is  
confirmed absolutely.*

*By the Court  
Duffeth*

*R. J.*

LEOPOLD J. WENDEKIER  
Attorney-At-Law  
PATTON, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

On April 14, 1964, the Court, after consideration of a petition presented for that purpose by the St. Lawrence Grange No. 1168 of the Patrons of Husbandry, appointed John L. Elder, Leopold J. Wendekier and Raymond M. Niebauer, as a Board of Viewers to assess the damages and benefits, if any, caused by the condemnation by the Commonwealth of Pennsylvania, Department of Highways of a portion of certain real estate owned by the petitioner in Chest Township, Cambria County, Pennsylvania, for the purpose of improving a portion of State Highway Route 11054, said real estate being more particularly described in the Notice of View, a copy of which is hereto attached, respectfully makes the following

#### REPORT

In pursuance of their appointment, the Board caused notice to be served upon all interested parties that the Board would meet upon the premises on Friday, May 15, 1964, at 10:00 o'clock, A.M., e.d.s.t., for the purpose of viewing the premises and hearing such parties as desired to be heard. Such notices were duly served by personal service more than ten (10) days prior to the date of said meeting.

On the day appointed, the Board, having previously been duly sworn, proceeded to view the premises. In attendance were the trustees ad litem for the property owner; Paul D. Larimer, Esq., counsel for the property owner; Mr. Paul D. Washington, Appraiser for the Highway Department; Mr. William L. Huber and Mr. Jess Fridman, both of whom are employees of the Highway Department; and Robert L. Blough, Esq., counsel for the Highway Department.

A meeting for the purpose of hearing the testimony of witnesses was scheduled for Thursday, May 28, 1964, at 10:00 o'clock, A.M., e.d.s.t., in the social room of the St. Lawrence Church in Chest Township, Cambria County, Pennsylvania.

The meeting was held as scheduled and was attended by the trustees ad litem for the property owner; Paul D. Larimer, Esq., counsel for the property owner; Mr. Paul D. Washington, Appraiser for the Highway Department; Mr. William L. Huber and Mr. Jess Fridman, both of whom are employees of the Highway Department; Mr. Harris Frank Thompson, a witness for the Highway Department; and Robert L. Blough, Esq., counsel for the Highway Department.

Those who testified for the benefit of the Board were Mr. Herman Leiden; Mr. George Leiden, and Mr. Frank Ropp, trustees ad litem for the property owner; Mr. Harris Frank Thompson; Mr. William L. Huber; and Mr. Paul D. Washington. All the witnesses were sworn prior to testifying.

From the evidence submitted to it, and from an examination and view of the premises, as well as of the locality, generally, the Board finds the following

#### FACTS

1. The premises condemned by the Commonwealth of Pennsylvania Department of Highways consists of a portion of the land of the property owner. The portion condemned has an area of 525 square feet, and is entirely situate in Chest Township, Cambria County, Pennsylvania.

2. There was erected on this land a one-room, one-story frame building of an approximate size of 21' x 32'.

3. The owner has been financially injured by the condemnation of said real estate.

#### CONCLUSIONS OF LAW

1. The parties are properly in Court and this Court has jurisdiction of the matter at hand.

2. The St. Lawrence Grange No. 1168 of the Patrons of Husbandry is the owner of the property affected by the condemnation and is the organization entitled to compensation for damages arising by virtue of the condemnation.

3. The property owner is not entitled to detention damages because, in the opinion of the Board, delay in payment was caused by the property owner's excessive demands.

#### CONCLUSION AND DISCUSSION

The Board of View appointed by the Court for that purpose reports that, after a full and impartial consideration of all the evidence submitted, and after a careful view of the premises, acting at all times according to the viewers' best judgment, it has estimated and determined that the damages sustained by the owner of the property herein involved by the improvement of a portion of State Highway Route 11054 are as follows:

St. Lawrence Grange No. 1168 of the	
Patrons of Husbandry. . . . .	\$1,500.00

The first witness on behalf of the property owner was Mr. Herman Leiden, one of the officers of the Grange. Mr. Leiden testified that he was a life-long resident of Chest Township and had been a member of the Grange for 40 years, as well as being Secretary of the Chest Township Board of Supervisors for a like period. He testified, in detail, as to the construction of the building which had been erected on the property condemned by the Department of Highways, as well as to the use to which the building had been put.

Counsel for the Department of Highways objected to Mr. Leiden's qualifications to give an opinion as to the value of the real estate owned by the Grange immediately prior to and immediately after the taking. This objection was overruled by the Board because the Board was of the opinion that a property owner is always competent to testify as to the value of his property and,

since the property owner in this instance was an association, the officers must necessarily speak for it.

Mr. Leiden was thereupon asked to give his opinion as to the market value of this real estate immediately prior to the taking by the Commonwealth, and the value immediately after the taking. It was this witnesses opinion that the real estate had a value of \$2,500.00 immediately prior to the taking, and as unaffected thereby, and had no value immediately after the taking. Counsel for the Department of Highways cross-examined this witness extensively concerning the type of construction in the building erected on the premises.

Counsel for the property owner then called upon Mr. George Leiden, also an officer of the property owner and a life-long resident of Chest Township. The witness testified that he had been a member of the Grange for 39 years and had been custodian of the building for 38 years. He stated that, were he to be asked any questions regarding the type of construction of the building, that this would serve to corroborate the testimony of the prior witness.

Counsel for the Department of Highways reiterated his objection to the testimony of this witness as to market value of the property which objections the Board overruled for the reasons set forth above. In the opinion of this witness, the market value of the condemned property immediately prior to the taking, and as unaffected thereby, was \$2,500.00 and the value immediately after the taking was nothing. There was no cross-examination of this witness.

The next witness was Mr. Frank Ropp who testified that, while he was now a resident of Patton Borough, he had lived in Chest Township until 1942 and had been a member of the Grange for more than 30 years. He stated that his testimony would serve to corroborate that of the two prior witnesses.

At this point, counsel for the Commonwealth objected to this witnesses qualifications to give an opinbn as to the market value of the property and, once again, the Board overruled the objection on the basis that the property owner in this case could speak only through its officers. Mr. Ropp testified that it was his opinion that the market value of the condemned property immediately prior to the taking and, as unaffected thereby, was \$2,500.00, and that the property had no value subsequent to the taking. At this point, counsel for the property owner rested but asked for the privilege of calling two other witnesses who had failed to appear at this time.

Counsel for the Commonwealth called as his first witness Mr. Harris Frank Thompson of Patton. Mr. Thompson testified that he had submitted a bid to the Department of Highways for the building upon the property for the purpose of demolishing the building and recouping whatever salvage value the component parts<sup>of</sup> the building might have. Mr. Thompson testified that the building was in fair condition at the time of demolition and that he was able to salvage 60% to 65% of the materials used therein. He testified, in considerable detail, as to the type of construction and materials used in this building.

Upon cross-examination, the witness stated that it was his opinion that the property was in fair to good shape. Upon re-direct examination, counsel for the Commonwealth asked the witness whether he had not stated that much of the materials were not salvaged<sup>able</sup> and could be used only for firewood.

Counsel for the property owner objected upon the basis that the Commonwealth was cross-examining its own witness. The objection was sustained whereupon counsel for the Commonwealth plead surprised. This witness was dismissed with the right to the Commonwealth to recall him after establishing a basis for the plea of surprise.

Mr. William L. Huber, Right-of-Way Agent for the Department of Highways was called as the Commonwealth's next witness. This witness testified that, on or about May 13, 1964, he called Mr. Thompson regarding the demolition of the building and had specifically asked about the condition of the building and the materials salvaged therefrom. He stated that Mr. Thompson had told something different than his testimony at this hearing. He attempted to state specifically what the prior witness said during the telephone conversation on May 13, 1964, but counsel for the property owner at this point interposed an objection that such testimony violates the rule against hearsay evidence. This objection was sustained by the Board and the witness was thereupon turned over for cross-examination. The cross-examination elicited from this witness that this alleged telephone conversation took place on or about May 13, 1964.

Harris Frank Thompson was then recalled as a witness. He testified that much of the sheathing and inside wainscoting splintered during the salvage operation and was used for firewood. He stated that he had given a considerable quantity of this lumber to a person who lived nearby, that many of the heavier timber had to have the ends cut off so as to be marketable. He stated that the vestibule at the front of the building had not been shingled or painted nor had the coal shed at the rear of the building been shingled or painted.

Upon cross-examination, the witness said that he had been in a hurry to complete the demolition for two reasons; first, the work was done in the late Fall when it was quite cold and, two, there was a time limit placed upon the demolition.

The next witness called by the Commonwealth was Mr. Paul D. Washington, a Cresson Realtor who testified as an expert witness on behalf of the Department of Highways. Counsel for the property owner stated that he would waive any objections to having

this witness testify but he was not admitting the witnesses qualifications. Mr. Washington stated that he appraised the building and the real estate on January 3, 1963. He testified, in considerable detail, as to the type of construction of the building and the materials used therein. He stated that, in arriving to his opinion as to market value of this property, he considered the age of the building, the location of the property, the condition of the building, the use to which the property had been put, other sales in the area, and the area in general. It is his opinion that the market value of this property immediately prior to the taking and, as unaffected by it, was \$1,072.00, and that the value immediately subsequent to the taking was \$22.00. In his opinion, the damages suffered by the property owner was, therefore, \$1,050.00.

Upon cross-examination, this witness admitted that he had not been inside the building when he appraised it on January 3, 1963. However, on re-direct examination, he stated that, by looking through the windows, he was able to see enough of the interior to give a fair estimate as to the value of the property.

There being no further testimony offered, the hearing was concluded.

From the evidence presented to it, the Board is of the opinion that any delay in payment in this matter was caused by the unreasonable demands of the property owner. The Board is assuming that the Commonwealth offered, by way of settlement, a figure comparable to that testified to by its real estate expert. The Board also assumes that the amount demanded by the property owner was reasonably near the figure quoted by the officers of the Grange as damages suffered by it.

Since the Board is of the opinion, and so finds, that the damages suffered by the property owner is \$1,500.00 and its demand probably was \$1,000.00 greater than that amount, any delay



in payment is due purely to their unreasonable demand. We, therefore, find that the property owner is not entitled to detention damages.

Likewise, no detention damages can be paid if the property owner's demand for compensation is clearly unreasonable. "An exorbitant and unreasonable demand by an owner as the price for property condemned can be sufficient to warrant the jury in denying him damages for delay in payment for the value of the property taken." Springer v. County of Allegheny, 401 Pa. 557, 165 A. 2d 383 (1960).

The power of eminent domain is the power to take property for public use without the owner's consent, City of Philadelphia v. Philadelphia Suburban Water Company, 309 Pa. 130, 163 Atl. 297 (1933); Briegel v. Briegel, 307 Pa. 93, 160 Atl. 581 (1932).

Section 10 of Article 1 of the Constitution of Pennsylvania guarantees that private property should not be taken or applied to public use without authority of law and without just compensation being first made or secured.

The owner of the land at the time of the taking is the person entitled to damages for condemnation, Petition of Lakewood Memorial Gardens, 381 Pa. 46, 112 A. 2d 135 (1935); Petition of Butler County Commissioners, 141 Pa. Super. 597, 15 A. 2d 504 (1940).

Market value should be determined on the basis of what price the property would bring if the owner were under no compulsion to sell and a purchaser under no compulsion to buy, taking into account all consideration that might be brought forward and reasonably be given substantial weight in bargaining for property, United States v. 15.3 Acres of Land in the City of Scranton, Pennsylvania, 154 Fed. Supp. (1957); Ward v. Commonwealth of Pennsylvania, 390 Pa. 526, 136 A. 2d 309 (1957).

The basis for recovery of compensation being its market value, any relevant and material evidence of such value is admissible. Schuck v. West Side Belt Railway Company, 283 Pa. 152, 123 Atl. 832 (1925). However, the burden is upon the landowner to establish the market value in proceedings before a Board of View or the Court, Broughler v. Commonwealth of Pennsylvania, 383 Pa. 573, 131 A. 2d 341 (1957); Hereda v. Lower Burrell Township, 159 Pa. Super. 262, 48 A. 2d 83 (1946).

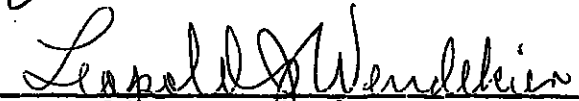
Market value may be ascertained from the knowledge and judgment of men acquainted with the property, who, by their experience and judgment, may give a fair, honest and impartial opinion as to value, Curtin v. Nittany Valley Railroad Company, 135 Pa. 20, 19 Atl. 740 (1890), and subsequent cases.

In making its award, the Board has applied the foregoing principles of law to the evidence presented and has considered all other relevant factors. The Board has also considered the benefits, if any, accruing to the property and hereby assesses the damages as above awarded against the Commonwealth of Pennsylvania Department of Highways.

Respectfully submitted this 9th day of June, 1964.

BOARD OF VIEW

  
John L. Elder, Chairman

  
Leopold J. Wendekier

  
Raymond M. Niebauer

COMMONWEALTH OF PENNSYLVANIA	::	IN THE COURT OF QUARTER SESSIONS
	::	
	::	OF
vs.	::	
	::	CAMBRIA COUNTY, PENNSYLVANIA
	::	
ST. LAWRENCE GRANGE NO. 1168,	::	
PATRONS OF HUSBANDRY	::	No. 1 June Sessions, 1964, R. D.

SCHEDULE OF AWARD

From the evidence submitted and the view of the premises affected by the condemnation by the Commonwealth of Pennsylvania Department of Highways, the Board of View finds the damages sustained by the owner in this proceeding as follows:

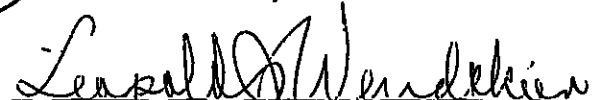
St. Lawrence Grange No. 1168, Patrons	
of Husbandry. . . . .	\$1,500.00

The award above set forth does not include damages for delay in payment.

The Board of View has taken into consideration any benefits accruing to the property affected and hereby assesses the damages as above awarded against the Commonwealth of Pennsylvania Department of Highways.

BOARD OF VIEW

  
John L. Elder, Chairman

  
Leopold J. Wendekier

  
Raymond M. Niebauer

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

VIEWERS' NOTICE

We, the undersigned Viewers appointed by the above Court to view and inspect the land and premises owned by the St. Lawrence Grange No. 1168, Patrons of Husbandry, of R. D., (Chest Township), Patton, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may seem likely to result to the land or property of said owner by reason of the condemnation by the Commonwealth of Pennsylvania Department of Highways, of a portion of said real estate of the St. Lawrence Grange No. 1168, Patrons of Husbandry, do hereby give notice that they will meet upon the premises on Friday, May 15, 1964, at 10:00 o'clock, A.M., e.d.s.t., when and where all persons interested may appear if they so desire.

The premises to be viewed are:

ALL that certain land situate in Chest Township, Cambria County, Pennsylvania, bounded and described as follows:

Beginning at a post on public road; thence in a southerly direction 60 feet to a post; thence in a southeasterly direction 32 feet to a post; thence by public road 32 feet to a post and place of beginning.

BOARD OF VIEW

*John L. Elder*  
John L. Elder, Chairman

*Leopold J. Wendekier*  
Leopold J. Wendekier

*Raymond M. Niebauer*  
Raymond M. Niebauer

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

VIEWERS' NOTICE OF HEARING

The Board of View appointed by the Court to view the premises and make a determination of the damages, if any, to the property of the above owner, more particularly described in the Notice of View, has set, as the time and place for a hearing where all interested parties may appear and be heard, 10:00 o'clock, A.M. e.d.s.t., on Thursday, May 28, 1964, in the basement of the St. Lawrence Church, Village of St. Lawrence, Chest Township, Pa.

All parties and their counsel should be present with their witnesses to present evidence for the assistance of the Board at that time.

BOARD OF VIEW

John L. Elder

AND NOW, this 16 day of May, 1964, I hereby accept service of the above notice.

Robert H. Blough

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

VIEWERS' NOTICE OF HEARING

The Board of View appointed by the Court to view the premises and make a determination of the damages, if any, to the property of the above owner, more particularly described in the Notice of View, has set, as the time and place for a hearing where all interested parties may appear and be heard, 10:00 o'clock, A.M. e.d.s.t., on Thursday, May 28, 1964, in the basement of the St. Lawrence Church, Village of St. Lawrence, Chest Township, Pa.

All parties and their counsel should be present with their witnesses to present evidence for the assistance of the Board at that time.

BOARD OF VIEW

John L. Elder

AND NOW, this 18th day of May, 1964, I hereby accept service of the above notice.


Engelhard Larimer Engelhard  
by Paul R. Larimer

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

VIEWERS' NOTICE

The Board of View appointed by the Court to determine the damages and benefits, if any, caused by the condemnation by the above named plaintiff of certain real estate of the defendant hereby gives notice that the Board, after due deliberation, and considering all the evidence placed before it after a view of the premises, has prepared a Schedule of Award which will be exhibited to all interested parties on Monday, June 8, 1964, at 1:30 P.M., e.d.s.t., in Courtroom No. 4, Cambria County Courthouse, Ebensburg, Pennsylvania.

BOARD OF VIEW

  
Chairman

COMMONWEALTH OF PENNSYLVANIA :: IN THE COURT OF QUARTER SESSIONS  
::  
:: OF  
vs. ::  
:: CAMBRIA COUNTY, PENNSYLVANIA  
::  
ST. LAWRENCE GRANGE NO. 1168, ::  
PATRONS OF HUSBANDRY :: No. 1 June Sessions, 1964, R. D.

VIEWERS' NOTICE

The Board of View appointed by the Court to determine the damages and benefits, if any, caused by the condemnation by the above named Plaintiff of certain real estate of the Defendant hereby gives notice that the Board will file its Report with the Clerk of Courts on Tuesday, June 9, 1964. The Report will thereupon become a part of the record in this proceeding.

BOARD OF VIEW

John Elder  
Chairman



287  
line  
40' 19" C.M.  
This print is made from sheet No. 4, of Right-of-way  
plan for Route No. 11063 Section No. 3 Carlin  
County, approved by the Governor on July 16, 1962  
which I we have examined and had explained to me as this  
day of \_\_\_\_\_, 19\_\_\_\_, and is to be attached to  
the release herewith executed.

Witness \_\_\_\_\_

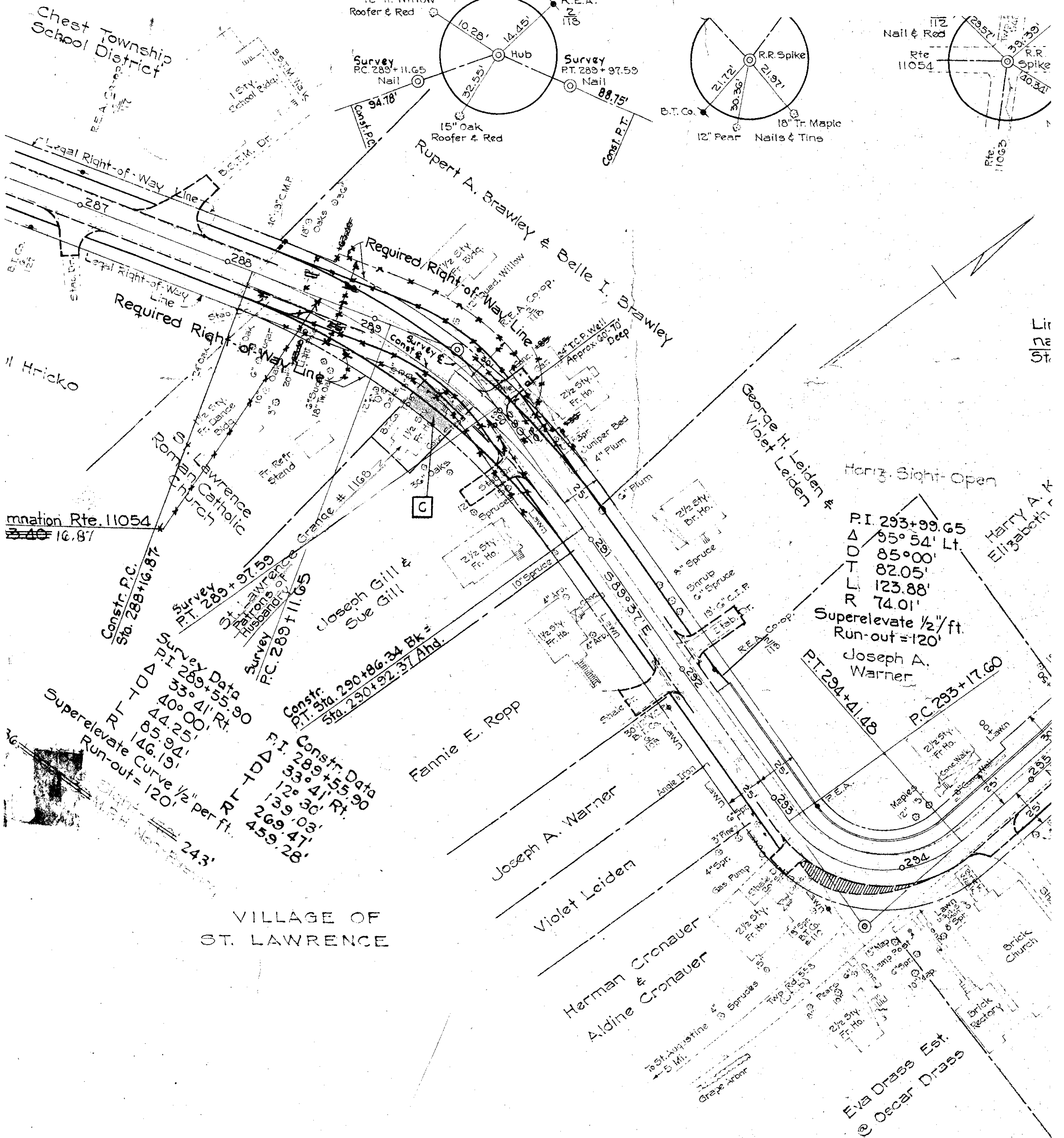
Witness \_\_\_\_\_ (Seal)

Witness \_\_\_\_\_ (Seal)

(Seal)

ak

P.I 289+55.90  
Angle 213°41'



FOR PROFILE AND GRADE LINE  
See Sheet no. 5

*R.D.*  
No. / June Sessions 1964

In the Court of Quarter  
Sessions of Cambria County,  
Pennsylvania

PETITION OF

ST. LAWRENCE GRANGE  
NO. 1168, PATRONS OF HUSBANDRY  
BY HENRY LEIDEN, JOSEPH  
LEIDEN and FRANK ROPP,  
TRUSTEES AD LITEM FOR THE  
APPOINTMENT OF VIEWERS TO  
ASSESS DAMAGES ARISING FROM  
THE CONSTRUCTION, RECONSTRUCT-  
ION AND IMPROVEMENT TO STATE  
HIGHWAY ROUTE 11054 IN THE  
TOWNSHIP OF CHEST, COUNTY OF  
~~CAMBRIA AND COMMONWEALTH OF~~  
PENNSYLVANIA

*Filed. Apr. 14, 1964*

ENGLEHART, LARIMER & ENGLEHART  
ATTORNEYS AT LAW  
215-219 MASONIC BUILDING  
EBensburg, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

PETITION OF :

ST. LAWRENCE GRANGE :

NO. 1168, PATRONS OF :

HUSBANDRY, BY HENRY LEIDEN, : NO. JUNE SESSIONS 1964

JOSEPH LEIDEN and FRANK ROPP, :

TRUSTEES AD LITEM FOR THE :

APPOINTMENT OF VIEWERS TO ASSESS :

DAMAGES ARISING FROM THE CON- :

STRUCTION, RECONSTRUCTION AND :

IMPROVEMENT TO STATE HIGHWAY :

ROUTE 11054 IN THE TOWNSHIP OF :

CHEST, COUNTY OF CAMBRIA AND :

COMMONWEALTH OF PENNSYLVANIA :

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT.

1. That the Condemnor is the Commonwealth of Pennsylvania  
- Pennsylvania Department of Highways.

2. The name of the owner of the property condemned is  
St. Lawrence Grange No. 1168 of the Patrons of Husbandry.

3. The property condemned is as follows:

All that certain land situate in the  
Township of Chest, County of Cambria and  
Commonwealth of Pennsylvania, bounded and  
described as follows:

Beginning at a post on public road; thence  
in a southerly direction 60 feet to a post;  
thence in a southeasternly direction 32  
feet to a post; thence by public road 32  
feet to a post and place of beginning.

4. That in the construction, reconstruction and improve-  
ment of State Highway Route 11054, in the Township of Chest,  
County of Cambria, Pennsylvania, said property has sustained  
serious loss and damage, and that compensation for such damage  
has not been fixed or agreed to between the Commonwealth of  
Pennsylvania - Pennsylvania Department of Highways and the St.  
Lawrence Grange No. 1168 of the Patrons of Husbandry.

5. Your petitioners aver that there are no judgments,  
mortgages or other claims which are liens upon the land herein-  
above described in paragraph three.

WHEREFORE, your petitioners pray your Honorable Court to

appoint three Viewers to view the premises and affix the damages, if any, by reason of the construction, reconstruction and improvement of said highway and to affix the benefits, if any, and report the same to your Honorable Court.

ST. LAWRENCE GRANGE NO. 1168  
OF THE PATRONS OF HUSBANDRY

By Henry Leiden

Joseph Leiden

Frank Ropp

Trustees Ad Litem

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CAMBRIA :

Henry Leiden, Joseph Leiden and Frank Ropp, Trustees Ad Litem of St. Lawrence Grange No. 1168, Patrons of Husbandry, being duly sworn according to law, depose and say that the facts set forth in the foregoing petition are true and correct to the best of their knowledge, information and belief.

Henry Leiden

Joseph Leiden

Frank Ropp

Sworn to and subscribed before me this 4th day of April, 1964.

Regina M. Moulton, J. P.  
Notary Public

My commission expires: 1st Mon Jan 1965

D E C R E E

And now, the 14<sup>th</sup> day of April 1964, the foregoing petition having been read and considered, it is ordered that

*John L. Elder* , *Leopold J. Wendekier*  
and *Raymond Niebauer* be and hereby are appointed to view said premises and make return of their proceedings to the Court within 30 days of the date of this order.

BY THE COURT

*McWilliams*  
*J*

R.D. 1 June 1964

CHECK  
TRANSMITTAL

## COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF HIGHWAYS  
HARRISBURG, PA.ID NO.  
69-005249

GENTLEMEN:

(Check given to Englebert)

THE ENCLOSED CHECK COVERS INVOICES AS LISTED BELOW:

<u>DATE</u>	<u>DISTRICT OR SECTION</u>	<u>STATE PURCHASE ORDER NO.</u>	<u>VENDOR INVOICE NO.</u>	<u>AMOUNT</u>
10-28-64	9-0	56-064939	CL. 1101602 RT. 11054-5	45.00

STEPHEN D. OBLACKOVICH  
CLERK OF COURTS  
EBENSBURG, PENNSYLVANIAIF FURTHER INFORMATION IS DESIRED  
ADDRESS YOUR INQUIRY TO THE COMP  
TROLLER'S OFFICE, OF THE DEPART-  
MENT SHOWN, REFERRING TO STATE  
PURCHASE ORDER NUMBER.

ENCLOSED CHECK MUST BE CASHED IMMEDIATELY - VOID AFTER 60 DAYS

YOURS TRULY  
COMPTROLLER'S OFFICE

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HIGHWAYS

IDENTIFICATION NO.

69—

INVOICE FOR  
Acquisition of Right of Way  
Direct and Indirect Costs

2—VENDOR

Date

November 20, 1964

DATE OF VENDOR'S INVOICE

October 28, 1964

REFERENCE NUMBER

56- 064939

VENDORS NAME AND ADDRESS

Stephen D. Oblackovich Clerk of Courts, Dr. Ebensburg, Penna.

District No.—

9-0

PREPARE THIS INVOICE IN QUINTUPPLICATE

ARTICLES

AMOUNT

Claim No. 1199999

For Misc. services rendered in connection w  
with the property of St. Lawrence Grange No. 1168  
(Claim No. 1101602); on Route 11054-5, in Cambria  
County.

\$45.00

I certify that the services were actually rendered and that  
the charges on this invoice are correct. Therefore, payment ap-  
proved by or this payment agreed to.

Dist. Right of Way Engineer

I certify that the services were actually rendered and that  
the charges on this invoice are correct. Therefore, payment ap-  
proved by or this payment agreed to.

District Engineer

I certify that the services were actually rendered and that  
the charges on this invoice are correct. Therefore, payment ap-  
proved by or this payment agreed to.

Central Office Right of Way Engineer